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FAX TRANSMISSION**DATE:** May 6, 2005**PTO IDENTIFIER:** Application Number 10/726,585-Conf. #5069
Patent Number**Inventor:** Harry A. Dugger, III**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

James W. Brady, Jr.

PHONE: (202) 775-4786**Attorney Dkt. #:** N9810.0034/P034**PAGES (Including Cover Sheet):** 17**CONTENTS:** Preliminary Amendment (14 pages)
Amendment Transmittal (1 page)
Certificate of Transmission (1 page)

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PTO/SB/97 (08-04)

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Application No. (if known): 10/726,585

Attorney Docket No.: N9810.0034/P034

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Preliminary Amendment (14 pages)

Amendment Transmittal (1 page)

| | | | | |
|---|--|---------------------------------|-------------------------------|-----------------------------|
| AMENDMENT TRANSMITTAL LETTER | | | Docket No. N9810.0034/P034 | |
| Application No. 10/726,585-Conf. #5069 | | Filing Date December 4, 2003 | | Examiner M. Haghighatian |
| | | | | Art Unit 1616 |

Applicant(s): Harry A. Dugger, III

Invention: BUCCAL, POLAR AND NON-POLAR SPRAY OR CAPSULE CONTAINING DRUGS FOR TREATING PAIN

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.
The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED | | | | | |
|--|---|---|-----------------------------------|------|------|
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 64 | - 64 = | | x | |
| Independent Claims | 3 | - 3 = | | x | |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |

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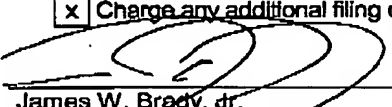
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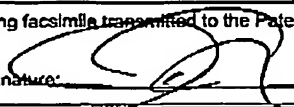
☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


 James W. Brady, Jr.
 Attorney Reg. No.: 32,115

 DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
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Dated: May 6, 2005

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James W. Brady, Jr.

Docket No.: N9810.0034/P034
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Harry A. Dugger, III

Application No.: 10/726,585

Confirmation No.: 5069

Filed: December 4, 2003

Art Unit: 1616

For: BUCCAL, POLAR AND NON-POLAR
SPRAY OR CAPSULE CONTAINING
DRUGS FOR TREATING PAIN

Examiner: M. Haghighatian

PRELIMINARY AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 14 of this paper.

DSMDB.1918932.1